

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

TEAL PEAK CAPITAL, LLC;

Plaintiff,

v.

ALAN BRAM GOLDMAN;

Defendants.

Civil No. 3:20-cv-1747

Breach Of Contract; Specific
Performance Of Contract;
Reimbursement Of Funds, Costs
And Expenses

Motion in Compliance with Order at Docket No. 110

To the Honorable Court:

Comes Now, Teal Peak Capital, LLC ("TPC"), and through the undersigned attorney, respectfully states and prays:

1. On January 18, 2022, this Court reiterated its December 22, 2021 Order at Docket No. 107, requiring the parties intending to submit evidence to file a motion identifying the evidence and, in the event witness were to be called, identifying those witnesses with a summary of their expected testimony. In compliance, we inform that The documentary evidence that TPC intends to present is the following:

- a. TPC's Certificate of Organization
- b. Option to Purchase Agreement signed on October 23, 2020.
- c. Copy of December 11, 2020 emails among broker, closing agent, Notary, Mr. Goldman's CPA, Mr. Grzan and Mr. Goldman in which all, except for Mr. Goldman, approved the transaction and confirmed availability to close on any day from December 15, 2020 onward.

2. The witness that TPC intends to present is John M. Grzan. Mr. Grzan will testify in general about the facts leading up to the signing on October 23, 2020 of the Option to Purchase Agreement; how the initial closing date was extended due to Mr. Goldman's inability to provide clean title; how Mr. Goldman accepted the extension; the assignment of the Agreement to TPC; Mr. Grzan's representative capacity; and how everyone involved was ready and willing to close on the transaction on December 15, 2020, and Mr. Goldman, for no valid reason at all, refused to do so. Furthermore, Mr. Grzan will testify about his founded concern that Mr. Goldman will sell the property and how, if he does, the demand for specific performance will become moot. He will provide the basis for such concerns.

Wherefore, TPC asks this Honorable Court to take notice of the above and find it in compliance with Order at Docket No. 110.

Respectfully Submitted.

In San Juan, Puerto Rico, this 25th of January 2022.

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the Court's CM/ECF system, which will send notice of its filing electronically to the attorneys of record.

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